

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

NOV 18 2022

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

BLUE MOUNTAINS BIODIVERSITY
PROJECT, an Oregon non-profit
corporation,

Plaintiff-Appellant,

v.

SHANE JEFFRIES, in his official capacity
as Ochoco National Forest Supervisor;
UNITED STATES FOREST SERVICE, an
agency of the United States Department of
Agriculture,

Defendants-Appellees.

No. 22-35857

D.C. No. 2:20-cv-02158-MO
District of Oregon,
Pendleton

ORDER

Before: McKEOWN and W. FLETCHER, Circuit Judges.

Appellant's motion (Docket Entry No. 6) to stay the district court's October 25, 2022 order dissolving the preliminary injunction pending appeal is granted temporarily. *See Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). The district court's October 13, 2021 preliminary injunction remains in place pending further order of this court. Appellees may move to dissolve the stay after the conclusion of briefing. Any motion to dissolve the stay will be referred to the panel assigned to decide the merits of this appeal.

The court sua sponte expedites the briefing and hearing of this appeal. *See* 9th Cir. R. 3.3(f). The opening brief is due December 23, 2022. The answering

brief is due January 23, 2023. The optional reply brief is due February 10, 2023.

No motions for extension of time will be considered absent extraordinary and compelling circumstances. The Clerk will place this case on the March 2023 argument calendar.